

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

JEANNETTE T. RYANS and SHIRLEY
CASTLE,

Plaintiffs,

vs.

ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY,

Defendant.

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No. _____
JURY DEMAND

NOTICE OF REMOVAL

The above-named Defendant, Allstate Property and Casualty Insurance Company ("Allstate"), pursuant to 28 U.S.C. § 1441, et seq. for its Notice of Removal of an action instituted by the above-named Plaintiffs against it as Defendant, shows unto the Court:

1. Plaintiffs are citizens and residents of Sullivan County, Kingsport, Tennessee, and so plead in their Complaint. Plaintiffs own property in Sullivan County, Tennessee and so plead in their Complaint.

2. Defendant Allstate at all times pertinent to this cause of action was a foreign corporation incorporated in the State of Illinois. Allstate was not on July 4, 2014 or on August 4, 2014, or any time before or after said date, up to and including the date this action was filed in the Chancery Court for Sullivan County at Kingsport, Tennessee, or on the date of the filing of this Notice of Removal, incorporated under the corporate statutes or other applicable law of the State of Tennessee, and has not at any time prior to or subsequent to and including the date of the filing of this Notice of Removal, had its principal places of business in Tennessee.

3. The citizenship of the respective parties was the same as herein alleged at the time of the commencement of this action in the Chancery Court for Sullivan County at Kingsport, Tennessee, and on the date of the filing of this Notice of Removal.

4. On July 2, 2015, Plaintiffs instituted an action against Defendant in the Chancery Court for Sullivan County at Kingsport, Tennessee, by filing in said Court a Summons for the said Defendant and, at the initial pleading, a Complaint seeking judgment from Allstate proceeds of an insurance policy for alleged coverage(s) under the insurance policy, in an amount of \$250,000.00 plus a statutory 25% Bad Faith penalty and attorneys' fees as a result of alleged events occurring on or about July 4, 2014 and August 4, 2014, when Plaintiffs allegedly sustained damages. (Complaint, Ex. A.)

5. The Summons and Complaint issuing from the Clerk's Office of the Chancery Court for Sullivan County at Kingsport, Tennessee, was served on the Defendant through the Tennessee Department of Commerce of Insurance on or about July 13, 2015.

6. Less than thirty (30) days have transpired since service of the suit to the Defendant, up to and including the date of the filing of this Notice of Removal.

7. Defendant files with its Notice of Removal copies of all process, pleadings and other papers served upon it in the state action, to wit:

- (a) Complaint filed July 2, 2015; and
- (b) CT Corporation; Service of Process Instant Notification dated July 13, 2015. (Ex. B.)

8. The amount in controversy in said action herein referred to exceeds the sum of Seventy-five Thousand Dollars (\$75,000.00), exclusive of interest and costs as demonstrated by the Complaint.

WHEREFORE, Defendant Allstate Property and Casualty Insurance Company prays that this Court accept this Notice of Removal and proceed with this action in accordance with law.

DATED this the 28th day of July, 2015.

Respectfully submitted,

**ALLSTATE PROPERTY AND
AND CASUALTY INSURANCE
COMPANY**

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